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# Civil Enforcement Case Report

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## Civil Enforcement Case

### Basic Information

**Case Number:** 06-2011-4881**Case Name:** BP Exploration & Production Inc. (Gulf of Mexico Oil Spill) (National Case) (Lead)**Case Category:** Judicial**Case Status (as of 04/04/2016):** Final Order Entered**Case Lead:** EPA**Court Docket Number:** 2:10-cv-04536 / 2:10-md-02179-CJB-SS**DOJ Docket Number:** --**Relief Sought:** Penalty**Enforcement Outcome:** Final Order With Penalty**Headquarters Division:** --**Branch:** 6SF-P**Result of Voluntary Disclosure?** No**Multi-media Case?** --**Enforcement Type:** Civil Judicial Action**Violations:** Oil Spill Violation Under CWA/OPA

### Penalties – Case Level

**Total Federal Penalty Assessed or Agreed To:** \$3,352,250,000**Total State/Local Penalty Assessed:** \$10,000,000**Total SEP Cost:** \$10,000,000**Total Compliance Action Cost:** \$5,831,250,000**Total Cost Recovery:** \$0

### Case Summary

In June 2012, the U.S. District Court for the Eastern District of Louisiana entered a Consent Decree between the United States and MOEX Offshore, to settle MOEX's Clean Water Act liability in the Deepwater Horizon oil spill. MOEX Offshore has agreed to settle its liability in the Deepwater Horizon oil spill in a settlement with the United States valued at \$90 million. Approximately \$45 million of the \$90 million settlement is going directly to the Gulf in the form of penalties or expedited environmental projects. According to the terms of the settlement, MOEX will pay \$70 million in civil penalties to resolve alleged violations of the Clean Water Act resulting from the spill and agreed to spend \$20 million to facilitate land acquisition projects in several Gulf states that will preserve and protect in perpetuity habitat and resources important to water quality and other environmental features of the Gulf of Mexico region. In January 2013, the U.S. District Court in the Eastern District of Louisiana entered a Consent

Decree between the United States and Transocean Deepwater Inc. and Triton Asset Leasing GMBH, which has agreed to pay \$1 billion to resolve federal Clean Water Act civil penalty claims for the massive, three-month-long oil spill at the Macondo Well and the Transocean drilling rig Deepwater Horizon. Under the civil settlement, the Transocean defendants also must implement court-enforceable measures to improve the operational safety and emergency response capabilities at all their drilling rigs working in waters of the United States. In November 2015, the U.S. District Court in Eastern District of Louisiana entered a Findings of Fact and Conclusions of Law Penalty Phase document finding Anadarko is liable for civil penalties under the Clean Water Act, in the amount of \$159,500,000. In April 2016, the U.S. District Court in the Eastern District of Louisiana entered a Consent Decree between the United States and BP Exploration & Productions Inc. (BPXP) which BPXP agreed to pay a penalty of \$5.5 billion, as civil penalty under the Clean Water Act. BP must also pay \$8.1 billion in natural resource damages (NRD), including \$350 million in NRD assessment costs. Note: No environmental benefits were calculated for this case because the injunctive relief related to the DWH spill was obtained through the plea agreement reached in the associated BP DWH criminal case (and therefore are not reportable for this case) and the benefits associated with expenditure of the Natural Resource Damages funds are not yet calculable.

### Laws and Sections

Law	Sections	Programs
CWA	311B	Oil & Hazardous Substances Discharge

### Citations

Title	Part	Section
No data records returned		

### Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110015755672	BP EXPLORATION & OIL INC. (GMG290110)	GULF OF MEXICO	GULF OF MEXICO	GM	99999	1311	211111
110063982347	BP EXPLORATION&PRODUCTION, INC	501 WESTLAKE PARK BLVD.	HOUSTON	TX	77079	1311	--



### Defendants

Defendants and Settlements	In Complaint	In Settlement
Anadarko Exploration & Production LP	Y	Y
Anadarko Petroleum Corporation	Y	Y
BP Exploration & Production Inc.	Y	Y
Lloyd's Syndicate 1036	Y	Y
Moex Offshore 2007 LLC	Y	Y
QBE Underwriting LTD.	Y	Y
Transocean Deepwater Inc.	Y	Y

### Case Milestones

Event	Actual Date
Referred To Dept Of Justice	08/04/2010
Complaint Filed With Court	12/15/2010
Enforcement Action Data Entered	08/24/2011
Final Order Lodged	11/30/2015
Final Order Entered	04/04/2016

### Pollutants

Pollutant Name	Chemical Abstract Number
Petroleum products	--

Defendants and Settlements	In Complaint	In Settlement	Related Activities	
Transocean Holdings LLC.	Y	Y	Description	Actual Date
Transocean Offshore Deepwater Drilling, Inc.	Y	Y	No data records returned	
Triton Asset Leasing GMBH	Y	Y		

Final Order 1

**Final Order Type:** Consent Decree or Court Order Resolving a Civil Judicial Action  
**Final Order Name:** BP Exploration & Production Inc. (Gulf of Mexico Oil Spill MOEX) (National Case) (Lead)  
**Linked Facilities (FRS ID):** 110063982347  
**Final Order Lodged Date:** 02/17/2012  
**Final Order Entered Date:** 06/18/2012  
**Enforcement Action Closed Date:** --  
**Actual Termination Date:** 05/13/2015

**Penalties/SEPs/Cost Recovery Amounts**

**Federal Penalty Assessed or Agreed To:** \$22,500,000  
**State/Local Penalty Assessed:** \$10,000,000  
**SEP Value:** \$10,000,000  
**Federal Cost Recovery Awarded:** \$0

**Complying Actions**

Complying Action ID	Category	Description
No data records returned		

**Supplemental Environmental Projects**

SEP ID	Category	SEP Value	Description
3000000303	Environmental Restoration and Protection	\$3,250,000	Implement one or more land acquisition and habitat protection SEPs in the State of Texas to protect them in perpetuity from development by encumbering them with appropriate conservation easement, deed restrictions, covenants, or other institutional controls.
3000000302	Environmental Restoration and Protection	\$6,750,000	Implement one or more land acquisition and habitat protection SEPs in the State of Louisiana to protect them in perpetuity from development by encumbering them with appropriate conservation easement, deed restrictions, covenants, or other institutional controls.

**Pollutant Reductions**

Resulting From	Pollutant	Annual Amount	Units	Media Affected
No data records returned				

LAST UPDATED ON MAY 17, 2017

DATA REFRESH INFORMATION